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10/694,492

10/27/2003

Michael Shane Rinks

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03/08/2007

Jack E. Tubbs
Flint Patent Service
9060 N. Elms Rd.
Clio, MI 48420

EXAMINER

FREJD, RUSSELL WARREN

ART UNIT

PAPER NUMBER

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SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

In re Application of: Rinks et al.

Examination of Application #10/694,492

1. This communication is in response to the amendment received 5-December-2006, and the IDS received 18-December-2006. Claims 1, 8, 9, and 13-68 are pending in the application. Claims 2-7 and 10-12 were canceled by this amendment. New claims 50-68 were added.

Claim Rejections under 35 U.S.C. § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2.1 Claims 1, 13, 18-21, 32, 47, 49, 67 and 68 are rejected under 35 U.S.C. 102(a) as being anticipated by the Rinks Construction Building Materials Estimating Software Maintenance Manual, dated October 2000, Figs. 24-105.

2.2 Rinks disclosed the invention as claimed, in regard to **claims 1 and 49**:

A computer-implemented method for determining a set of materials for constructing a wood frame building [Fig. 82], comprising: selecting a plurality of parameters for the wood frame building [Fig. 88], including selecting a plurality of parameters for walls [Fig. 89], selecting a plurality of parameters for a roof [Fig. 88], selecting a plurality of parameters for at least one building opening [Fig. 72] and selecting a plurality of parameters for poles [Fig. 50]; accessing a database having information about a set of raw and finished goods [Figs. 88-96]; determining the set of materials based on the plurality of parameters for the wood frame building and the

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information about the set of raw and finished goods [Figs. 68-70]; and displaying the set of materials [Fig. 68]; displaying a visual model of at least one aspect of the wood frame building [Fig. 71].

Claim 13: wherein selecting a plurality of parameters for the wood frame building includes determining whether at least one selected parameter is within a range of selected values, the range of selected values having feasible alternatives for the at least one selected parameter, further wherein the range of selected values may be governed by at least one previously selected parameter; and if the at least one selected parameter is not within the range of selected values, indicating that the at least one selected parameter is not within the range of selected values [Fig. 90].

Claim 18: wherein displaying a visual model includes displaying a wall of the wood frame building having a plurality of metal panels, and displaying the location on the wall of each metal panel [Figs. 72 and 73].

Claim 19: further comprising displaying an identity for each metal panel [Fig. 77].

Claim 20: further comprising corresponding by identity each metal panel to a list of the plurality of metal panels, and displaying a parameter of each metal panel in the list [Figs. 73, 74 and 77].

Claim 21: further comprising indicating at least one building opening [Figs. 45 and 72].

Claim 32: wherein displaying the set of materials includes displaying the total cost of the trusses for the wood frame building [Fig. 69].

Claim 47: wherein displaying a visual model comprises displaying an overhang distance by a roof of a wall for the wood frame building [Fig. 46].

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Claim 67: wherein displaying a visual model comprises selecting a final elevation view of a side of the wood frame building, and displaying a selected exposed wall material layer in the final elevation view [Fig. 45].

Claim 68: wherein displaying a visual model further comprises displaying a selected roofing material layer in the final elevation view [Fig. 47].

Claim Objections

3. Claims 8, 9, 14-17, 22-31, 33-46, 48, and 51-66 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Allowed Claims

4. Claim 50 is deemed allowable over the prior art of record at this time.

Response Guidelines

5. A shortened statutory period for response to this action is set to expire **3 (three) months and 0 (zero) days** from the date of this letter. Failure to respond within the period for response will cause the application to become abandoned (see MPEP 710.02, 710.02(b)).

5.1 Any response to the Examiner in regard to this non-final action should be

directed to: Russell Frejd, telephone number (571) 272-3779, Monday-Friday from 0530 to 1400 ET, or the examiner's supervisor, Kamini Shah, telephone number (571) 272-2279. Inquires of a general nature or relating to the status of this application should be directed to the TC2100 Group Receptionist (571) 272-2100.

mailed to: Commissioner of Patents and Trademarks

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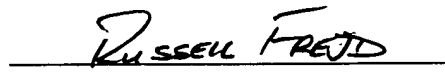
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P.O. Box 1450, Alexandria, VA 22313-1450

or faxed to: (571) 273-8300

Hand-delivered responses should be brought to the Customer Service Window, Randolph Building, 401 Dulany Street, Alexandria, VA, 22314.

Date: 4-March-2007



**RUSSELL FREJD
PRIMARY EXAMINER**